

FILED

JUL 11 2019

STATE OF NEVADA
E.M.R.B.

STATE OF NEVADA

GOVERNMENT EMPLOYEE-MANAGEMENT

RELATIONS BOARD

TEAMSTERS LOCAL NO. 14,

Case No. 2018-031

Complainant,

NOTICE OF ENTRY OF ORDER

v.

LAS VEGAS POLICE PROTECTIVE
ASSOCIATION CIVILIAN EMPLOYEES,
INC.,

Respondent.

TO: Complainants and their attorneys, Adam Levine, Esq. and the Law Office of Daniel Marks;

TO: Respondent and their attorneys, John Dean Harper, Esq. and the Harper Law Office.


PLEASE TAKE NOTICE that an **ORDER** was entered in the above-entitled matter on July 11, 2019.

A copy of said order is attached hereto.

DATED this 11th day of July, 2019.

LOCAL GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

BY


MARISU ROMUALDEZ ABELLAR
Executive Assistant

CERTIFICATE OF MAILING

I hereby certify that I am an employee of the Local Government Employee-Management Relations Board, and that on the 11th day of July, 2019, I served a copy of the foregoing **NOTICE OF ENTRY OF ORDER** by mailing a copy thereof, postage prepaid to:

Adam Levine, Esq.
Law Office of Daniel Marks
530 South Las Vegas Blvd., Suite 300
Las Vegas, NV 89101

John Dean Harper, Esq.
Harper Law Office
8440 W. Lake Mead Blvd., Suite 214
Las Vegas, NV 89128



MARISU ROMUALDEZ ABELLAR
Executive Assistant

FILED

JUL 11 2019

STATE OF NEVADA
E.M.R.B.

STATE OF NEVADA
GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

TEAMSTERS LOCAL 14,

Petitioner,

v.

LAS VEGAS POLICE PROTECTIVE
ASSOCIATION CIVILIAN EMPLOYEES,
INC.,

Respondent.

Case No. 2018-031

ORDER

EN BANC

ITEM NO. 839-A

On July 1 and 3, 2019, this matter came before the State of Nevada, Government Employee-Management Relations Board ("Board") for consideration and decision pursuant to the provisions of the Government-Management Relations Act (the "Act"); NAC Chapter 288 and NRS Chapter 233B.

The Board previously ordered this matter be bifurcated with the hearing occurring first on whether the bargaining unit improperly includes statutory supervisory employees.¹ Thereafter, the Board would determine if it will hold a hearing to determine whether any employee organization is supported by a majority of the local government employees in the subject bargaining unit, and if so hold a representative election. The hearing on the first part of this matter (on the statutory supervisor issue) was unable to be completed and as such the parties stipulated, and the Board approves, as follows:

///

///

¹ Local 14 alleges that the PPACE bargaining unit encompasses both supervisory and nonsupervisory civilian employees under their direction in violation of NRS 288.170(1). Local 14 alleges that after removal of the supervisors from the bargaining unit, a majority of employees within a properly constituted civilian nonsupervisory employee bargaining unit would support Local 14. As such, Local 14 requests the Board to separate the alleged illegal bargaining unit and hold a hearing to determine whether it has a good faith doubt as to whether any employee organization is supported by a majority of the non-supervisory civilian employees, and if so, hold a representative election pursuant to NRS 288.160.

1 (1) The first part of the bifurcated hearing shall resume on September 4, 2019, and continue
2 September 5, 2019, if necessary. The Commissioner shall issue a notice of hearing, if not already done
3 so.

4 (2) Local 14 will produce authorizations cards on the first day of the continued hearing,
5 September 4, 2019.²

6 (3) PPACE argued only those authorization cards signed until the filing of Local 14's
7 Petition (filed on November 29, 2019) are valid in the Board's consideration of whether it has a good
8 faith doubt to conduct an election, while Local 14 argued that any authorization cards obtained until the
9 date of production listed above (*i.e.* September 4, 2019) are valid. As such, the parties agreed to submit
10 briefing on this issue with briefs due on the first day of the continued hearing, September 4, 2019.

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20
21 ² Due to the necessity of continuing the hearing, in the interests to expedite the matter, in benefit to the
22 bargaining unit employees, and in administrative economy, the Board was inclined to hold the hearing
23 regarding good faith doubt directly after the conclusion of the first part of the bifurcated case. However,
24 PPACE indicated that it would not be able to adequately prepare given that the cards would be produced
25 on the first day of the continued hearing. As such, the parties agreed, and the Board approves, to the
26 compromise of Local 14 producing said cards on the first day of the continued hearing. Thereafter, the
27 Board will review and analyze the cards in full and determine whether to hold a hearing to determine if
28 the Board in good faith doubts whether any employee organization is supported by a majority of the
local government employees in a particular bargaining unit, pursuant to NRS 288.160, and whether to
conduct an election. The Board notes that it appears the statutory supervisor issue may ultimately be
irrelevant to this case – if Local 14 cannot obtain a majority of the local government employees in the
subject bargaining unit (even with excluding the alleged statutory supervisors from the total), then this
case should be dismissed as the statutory supervisor issue would not be necessary to the Board's
determination.


Either party may file an objection to this Order within 10 days of the date of this Order if they believe it does not accurately reflect the outcome of the July 1 and 3, 2019, hearing, including its reasons and support for such an objection.

DATED this _____ day of July, 2019.

GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD

By: Brent Eckersley
BRENT ECKERSLEY, ESQ., Chair

By: Sandra Masters
SANDRA MASTERS, Vice-Chair

By: 
CAM WALKER, Board Member

By: Gary A. Cottino
GARY COTTINO, Board Member